

### STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY **GOVERNOR** 

LYNDO TIPPETT SECRETARY

October 10, 2003

U. S. Army Corps of Engineers Regulatory Field Office Post Office Box 1890 Wilmington, NC 28402-1890

**ATTENTION:** 

Mr. David Timpy

**NCDOT Coordinator** 

**SUBJECT:** 

Nationwide Permit Application 23 and 33 for the proposed replacement of Bridge No. 204 over Northeast Cape Fear River in Duplin County, Division 3. Federal Aid No. BRZ-1827(3),

State Project No. 8.2241701; TIP No. B-3449.

Dear Sir:

Please find enclosed three copies of the CE document along with a PCN form, project site map, permit drawings, and roadway design plan sheets. Bridge No. 204 will be replaced with a new bridge on new alignment while maintaining traffic on the existing structure. The proposed project involves replacing the existing 240 foot bridge with a prestressed girder bridge approximately 306 feet in length.

#### PROPOSED IMPACTS

#### **Bridge Demolition:**

Best Management Practices for Bridge Demolition and Removal will be followed. Therefore the Bridge No. 204 will be removed without debris dropping into waters of the United States.

#### Wetlands:

No jurisdictional wetlands will be impacted by the proposed project.

#### Permanent Surface Water Impacts:

Northeast Cape Fear River [DWQ Index No. 18-74 (25.5)] Class C;Sw,HQW will be impacted by the proposed project. Construction of the proposed project will result in 0.0014 acre of permanent surface water fill due to the installation of replacement bridge bents. There will be two bents, with six 30" pipe piles per bent.

TELEPHONE: 919-733-3141 FAX: 919-733-9794

WEBSITE: WWW. NCDOT.ORG

#### Temporary Surface Water Impacts:

A temporary work bridge (depicted on the attached drawings) will also be necessary for construction. The resulting temporary impacts associated with temporary bents in the river is expected to be minimal, not to exceed 0.01 acre of surface water fill.

**Restoration Plan:** The temporary fill will consist of bents in the river. No permanent fill will result from the subject activity. Following construction of the temporary work bridge, the construction of permanent bridge will be completed. Once the temporary work bridge is no longer needed, all material used in the construction of the temporary work bridge will be removed. Reference elevations are available for the area of proposed construction of the temporary work bridge. The temporary impact area associated with the work bridge is expected to recover naturally, since the natural streambed and plant material will not be removed. The NCDOT does not propose any additional planting in this area.

Schedule: The project schedule calls for a let date of April 20, 2004 with an estimated date of availability of approximately 41 days later. It is expected that the contractor will choose to start construction of the temporary work bridge shortly after the end of the anadromous fish spawning moratorium of February 1 – June 15. The temporary surface water fill resulting from the construction of the temporary work bridge will probably be in place for less than twelve (12) months.

**Removal and Disposal Plan:** After the temporary work bridge is no longer needed, all temporary work bridge material will become the property of the contractor. The contractor will be required to submit a reclamation plan for the removal of and disposal of all materials off-site at an upland location.

#### FEDERALLY PROTECTED SPECIES

As of January 29, 2003, the United States Fish and Wildlife Service lists two federally protected species for Duplin County: American alligator and red-cockaded woodpecker. Since the environmental document was completed no species have been added or removed from this list. Species characteristics, distribution and habitat details are presented in the 2001 Categorical Exclusion. A biological conclusion is not required for the American alligator, since T(S/A) species are not afforded full protection under the ESA. A biological conclusion of "No Effect" was rendered for the red-cockaded woodpecker based lack of suitable habitat. The biological conclusion for this species remains valid. No impacts to federally protected species will occur from the construction of the proposed project.

#### **SUMMARY**

It is anticipated that the construction of the temporary work bridge will be authorized under Section 404 Nationwide Permit 33 (Temporary Construction Access and Dewatering). Therefore, the NCDOT is requesting the issuance of a Nationwide Permit 33 authorizing construction of the temporary work bridge. All other aspects of this

project are being processed by the Federal Highway Administration as a programmatic "Categorical Exclusion" in accordance with 23 CFR § 771.115(b). The NCDOT requests that these activities be authorized by a Nationwide Permit 23 (FR number 10, pages 2020-2095; January 15, 2002). We anticipate a 401 General Certification numbers 3403 and 3366 will apply to this project. In accordance with 15A NCAC 2H .0501(a) we are providing two copies of this application to the North Carolina Department of Environment and Natural Resources, Division of Water Quality, for their records.

Thank you for your assistance with this project. If you have any questions or need additional information please call Ms. Heather Montague at (919) 715-1456.

Sincerely,

Gregory J. Thorpe, Ph.D.
Environmental Management Director, PDEA

#### GJT/hwm

#### w/attachment

Mr. John Dorney, Division of Water Quality

Mr. Gary Jordan, USFWS

Mr. Travis Wilson, NCWRC

Mr. Greg Perfetti, P.E., Structure Design

#### w/o attachment

Mr. David Franklin, USACE, Wilmington

Mr. Jay Bennett, P.E., Roadway Design

Mr. Omar Sultan, Programming and TIP

Ms. Debbie Barbour, P.E., Highway Design

Mr. David Chang, P.E., Hydraulics

Mr. Mark Staley, Roadside Environmental

Mr. H. Allen Pope, P.E., Division 3 Engineer

Mr. Mason Herndon, DIV 3 Environmental Officer

Ms. Stacy Harris, P.E., PDEA Project Planning Engineer

Offic	ce Us	e Only:			Form Version May 2002
USA	CE A	Action ID No		DWQ N	
		(If any particular item is not a	pplicable to this pr	oject, please e	nter "Not Applicable" or "N/A".)
I.	Pr	rocessing			
	1.	Check all of the approval( ☐ Section 404 Permit ☐ Section 10 Permit ☐ 401 Water Quality Cer	_	this project:	Riparian or Watershed Buffer Rules Isolated Wetland Permit from DWQ
	<u>2.</u>	Nationwide, Regional or C	General Permit N	Number(s) R	equested: NW 23 and 33
	3.	If this notification is solely is not required, check here		y because w	ritten approval for the 401 Certification
	4.	1 0	ify <u>av</u> ailability		ion Program (NCWRP) is proposed for P prior to submittal of PCN), complete
	5.	4), and the project is wit	thin a North C	arolina Divi	twenty coastal counties (listed on page sion of Coastal Management Area of her details), check here:
II.		Telephone Number: (919)	evelopment & I Carolina Departn Project Dev & F Attention: Grego 1548 Mail Servi Raleigh, NC 270 733-3141	nent of Tran Environment ory J. Thorp ice Center 699-1548 Fax N	sportation al Analysis Branch
	2.	Agent/Consultant Informa must be attached if the Age Name:  Company Affiliation:  Mailing Address:	tion (A signed ent has signator	and dated of authority f	copy of the Agent Authorization letter for the owner/applicant.)
					Number:

#### III. Project Information

Attach a **vicinity map** clearly showing the location of the property with respect to local landmarks such as towns, rivers, and roads. Also provide a detailed **site plan** showing property boundaries and development plans in relation to surrounding properties. Both the vicinity map and site plan must include a scale and north arrow. The specific footprints of all buildings, impervious surfaces, or other facilities must be included. If possible, the maps and plans should include the appropriate USGS Topographic Quad Map and NRCS Soil Survey with the property boundaries outlined. Plan drawings, or other maps may be included at the applicant's discretion, so long as the property is clearly defined. For administrative and distribution purposes, the USACE requires information to be submitted on sheets no larger than 11 by 17-inch format; however, DWQ may accept paperwork of any size. DWQ prefers full-size construction drawings rather than a sequential sheet version of the full-size plans. If full-size plans are reduced to a small scale such that the final version is illegible, the applicant will be informed that the project has been placed on hold until decipherable maps are provided.

1.	Name of project: BRIDGE 204 OVER NORTHEAST CAPE FEAR RIVER ON SR 1827
2.	T.I.P. Project Number or State Project Number (NCDOT Only): B-3449
3.	Property Identification Number (Tax PIN):
4.	Location County:
5.	Site coordinates, if available (UTM or Lat/Long): 34° 47' 02"N, 77° 50' 17"W  (Note – If project is linear, such as a road or utility line, attach a sheet that separately lists the coordinates for each crossing of a distinct waterbody.)
6.	Property size (acres): approx. 8 eight acres with the new alignment
7.	Nearest body of water (stream/river/sound/ocean/lake): North East Cape Fear River
8.	River Basin: <u>Cape Fear</u> (Note – this must be one of North Carolina's seventeen designated major river basins. The River Basin map is available at <a href="http://h2o.enr.state.nc.us/admin/maps/">http://h2o.enr.state.nc.us/admin/maps/</a> .)
9.	Describe the existing conditions on the site and general land use in the vicinity of the projec

through the project with Bridge No. 204 serving residential uses.

at the time of this application: Existing land uses include maintained and forested communities. The area has a mixture of residential and woodland landuse. SR 1827 runs

	Bridge No. 204 will be replaced on new location with a new bridge using heavy duty construction equipment.
11.	Explain the purpose of the proposed work:
	To replace inadequate bridge.
Pri	or Project History
er	
cer buf list	USACE Action ID Number, DWQ Project Number, application date, and date permits and diffications were issued or withdrawn. Provide photocopies of previously issued permits, diffications or other useful information. Describe previously approved wetland, stream and fer impacts, along with associated mitigation (where applicable). If this is a NCDOT project, and describe permits issued for prior segments of the same T.I.P. project, along with struction schedules.
buf list con N/	difications were issued or withdrawn. Provide photocopies of previously issued permits, difications or other useful information. Describe previously approved wetland, stream and fer impacts, along with associated mitigation (where applicable). If this is a NCDOT project, and describe permits issued for prior segments of the same T.I.P. project, along with struction schedules.

#### VI. Proposed Impacts to Waters of the United States/Waters of the State

It is the applicant's (or agent's) responsibility to determine, delineate and map all impacts to wetlands, open water, and stream channels associated with the project. The applicant must also provide justification for these impacts in Section VII below. All proposed impacts, permanent and temporary, must be listed herein, and must be clearly identifiable on an accompanying site plan. All wetlands and waters, and all streams (intermittent and perennial) must be shown on a delineation map, whether or not impacts are proposed to these systems. Wetland and stream evaluation and delineation forms should be included as appropriate. Photographs may be included at the applicant's discretion. If this proposed impact is strictly for wetland or stream mitigation, list and describe the impact in Section VIII below. If additional space is needed for listing or description, please attach a separate sheet.

2. Indivi	dually list wetlan	d impacts	below:		
Vetland Impact Site Number ndicate on map)	Type of Impact*	Area of Impact (acres)	Located within 100-year Floodplain** (yes/no)	Distance to Nearest Stream (linear feet)	Type of Wetland***
N/A	N/A	N/A	N/A	N/A	N/A
					-n
excavation, floodi	eparately and identify ng, ditching/drainage,		pacts. Impacts include, but		
(FIRM), or FEMA online at http://www.List a wetland ty Carolina Bay, bog	ains are identified throman approved local floody www.fema.gov.  pe that best describes govern.  Indicate if wetler	ough the Feder plain maps. M wetland to be and is isolated estimated)	eral Emergency Managemeral Emergency Managemeral aps are available through the impacted (e.g., freshwat (determination of isolation of all existing wetlan)	nt Agency's (FEMA) he FEMA Map Service er/saltwater marsh, for to be made by USACE	Flood Insurance Rate Maj Center at 1-800-358-9616, ested wetland, beaver pon only).
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(FIRM), or FEMA online at <a href="http://www.list">http://www.list</a> a wetland ty Carolina Bay, bog  List th Total  3. Indivi  Stream Impact Site Number	ains are identified throman approved local floody www.fema.gov. pe that best describes are etc.) Indicate if wetland acreage (earea of wetland in dually list all interpretations.	wetland to be and is isolated estimated) empact propermittent ar  Length of Impact	eral Emergency Managemeral Emergency Managemeral Emergency Managemeral Early are available through the impacted (e.g., freshwat (determination of isolation of all existing wetland posed:  N/A  Stream Name**	nt Agency's (FEMA) ne FEMA Map Service er/saltwater marsh, for to be made by USACE ds on the property mpacts below:  Average Widtl of Stream	Flood Insurance Rate Maj Center at 1-800-358-9616, ested wetland, beaver pononly).  7: N/A  Perennial or Intermittent?
(FIRM), or FEMA online at <a href="http://www.list">http://www.list</a> a wetland ty Carolina Bay, bog  List th Total  3. Indiving Stream Impact Site Number adicate on map)	ains are identified throman approved local floody www.fema.gov. pe that best describes to the control of the co	wetland to be and is isolated estimated) of mpact propermittent are length of Impact (linear feet	eral Emergency Managemeral Emergency Managemeral Emergency Managemeral Emergency Managemeral Emergency Managemeral Emergency Managemeral English are available through the impacted (e.g., freshwat (determination of isolation of all existing wetlan bosed: N/A  Stream Name**	nt Agency's (FEMA) ne FEMA Map Service er/saltwater marsh, for to be made by USACE ds on the property mpacts below:  Average Widtl of Stream Before Impact	Flood Insurance Rate Maj Center at 1-800-358-9616, sested wetland, beaver pononly).  7: N/A  Perennial or Intermittent? (please specify)

Cumulative impacts (linear distance in feet) to all streams on site: N/A

4. Individually list all open water impacts (including lakes, ponds, estuaries, sounds, Atlantic Ocean and any other water of the U.S.) below:

Open Water Impact Site Number (indicate on map)	Type of Impact*	Area of Impact (acres)	Name of Waterbody (if applicable)	Type of Waterbody (lake, pond, estuary, sound, bay, ocean, etc.)
replacement bridge	permanent	0.0014	Northeast Cape Fear River	River
work bridge	temporary	less than 0.01	Northeast Cape Fear River	River

List each impact separately and identify temporary impacts. Impacts include, but are not limited to: fill, excavation, dredging, flooding, drainage, bulkheads, etc.

	5.	Pond Creation  If construction of a pond is proposed, associated wetland and stream impacts should be included above in the wetland and stream impact sections. Also, the proposed pond should be described here and illustrated on any maps included with this application.  Pond to be created in (check all that apply):  uplands  stream wetlands				
		Describe the method of construction (e.g., dam/embankment, excavation, installation of draw-down valve or spillway, etc.): N/A				
		Proposed use or purpose of pond (e.g., livestock watering, irrigation, aesthetic, trout pond, local stormwater requirement, etc.): N/A				
		Size of watershed draining to pond: N/A Expected pond surface area: N/A				
VII.	In	Impact Justification (Avoidance and Minimization)				
	inf fin sit	decifically describe measures taken to avoid the proposed impacts. It may be useful to provide formation related to site constraints such as topography, building ordinances, accessibility, and nancial viability of the project. The applicant may attach drawings of alternative, lower-impact e layouts, and explain why these design options were not feasible. Also discuss how impacts are minimized once the desired site plan was developed. If applicable, discuss construction chaniques to be followed during construction to reduce impacts.  Limiting the number of bents to two, reduces the surface water impacts.				

#### VIII. Mitigation

DWQ - In accordance with 15A NCAC 2H .0500, mitigation may be required by the NC Division of Water Quality for projects involving greater than or equal to one acre of impacts to freshwater wetlands or greater than or equal to 150 linear feet of total impacts to perennial streams.

USACE – In accordance with the Final Notice of Issuance and Modification of Nationwide Permits, published in the Federal Register on March 9, 2000, mitigation will be required when necessary to ensure that adverse effects to the aquatic environment are minimal. Factors including size and type of proposed impact and function and relative value of the impacted aquatic resource will be considered in determining acceptability of appropriate and practicable mitigation as proposed. Examples of mitigation that may be appropriate and practicable include, but are not limited to: reducing the size of the project; establishing and maintaining wetland and/or upland vegetated buffers to protect open waters such as streams; and replacing losses of aquatic resource functions and values by creating, restoring, enhancing, or preserving similar functions and values, preferable in the same watershed.

If mitigation is required for this project, a copy of the mitigation plan must be attached in order for USACE or DWQ to consider the application complete for processing. Any application lacking a required mitigation plan or NCWRP concurrence shall be placed on hold as incomplete. An applicant may also choose to review the current guidelines for stream restoration in DWQ's Draft Technical Guide for Stream Work in North Carolina, available at <a href="http://h2o.enr.state.nc.us/ncwetlands/strmgide.html">http://h2o.enr.state.nc.us/ncwetlands/strmgide.html</a>.

1.	Provide a brief description of the proposed mitigation plan. The description should provide as much information as possible, including, but not limited to: site location (attach directions and/or map, if offsite), affected stream and river basin, type and amount (acreage/linear feet) of mitigation proposed (restoration, enhancement, creation, or preservation), a plan view, preservation mechanism (e.g., deed restrictions, conservation easement, etc.), and a description of the current site conditions and proposed method of construction. Please attach a separate sheet if more space is needed.  N/A
2.	Mitigation may also be made by payment into the North Carolina Wetlands Restoration Program (NCWRP). Please note it is the applicant's responsibility to contact the NCWRP at (919) 733-5208 to determine availability and to request written approval of mitigation prior to submittal of a PCN. For additional information regarding the application process for the NCWRP, check the NCWRP website at <a href="http://h2o.enr.state.nc.us/wrp/index.htm">http://h2o.enr.state.nc.us/wrp/index.htm</a> . If use of the NCWRP is proposed, please check the appropriate box on page three and provide the following information:
	Amount of stream mitigation requested (linear feet): N/A
	Amount of buffer mitigation requested (square feet): N/A
	Amount of Riparian wetland mitigation requested (acres): N/A  Amount of Non-riparian wetland mitigation requested (acres): N/A
	Amount of Fron-Harran wenand infugation requested (acres). 17/A

Amount of Coastal wetland mitigation requested (acres): N/A

## IX. Environmental Documentation (required by DWQ)

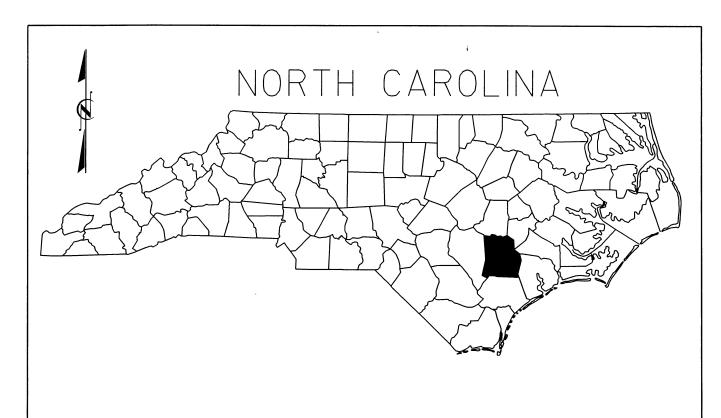
X.

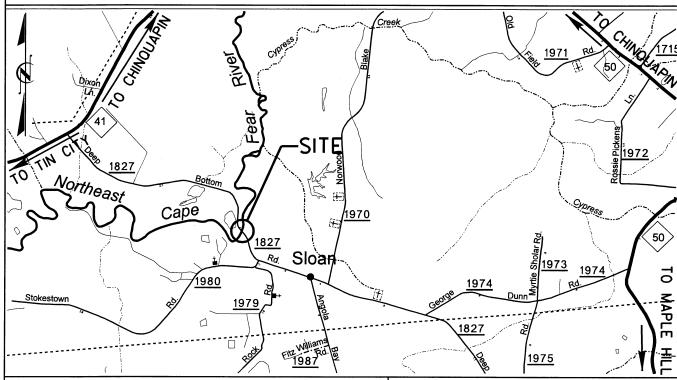
Does the project involve an expenditure of public (federal/state) funds or the use of public (federal/state) land?  Yes No
If yes, does the project require preparation of an environmental document pursuant to the requirements of the National or North Carolina Environmental Policy Act (NEPA/SEPA)? Note: If you are not sure whether a NEPA/SEPA document is required, call the SEPA coordinator at (919) 733-5083 to review current thresholds for environmental documentation.  Yes No
If yes, has the document review been finalized by the State Clearinghouse? If so, please attach a copy of the NEPA or SEPA final approval letter.  Yes No
Proposed Impacts on Riparian and Watershed Buffers (required by DWQ)
It is the applicant's (or agent's) responsibility to determine, delineate and map all impacts to required state and local buffers associated with the project. The applicant must also provide justification for these impacts in Section VII above. All proposed impacts must be listed herein, and must be clearly identifiable on the accompanying site plan. All buffers must be shown on a map, whether or not impacts are proposed to the buffers. Correspondence from the DWQ Regional Office may be included as appropriate. Photographs may also be included at the applicant's discretion.
Will the project impact protected riparian buffers identified within 15A NCAC 2B .0233 (Neuse), 15A NCAC 2B .0259 (Tar-Pamlico), 15A NCAC 2B .0250 (Randleman Rules and Water Supply Buffer Requirements), or other (please identify
Identify the square feet and acreage of impact to each zone of the riparian buffers. <u>If</u> buffer mitigation is required calculate the required amount of mitigation by applying the buffer multipliers.

Zone*	Impact (square feet)	Multiplier	Required Mitigation
1		3	
2	N/A	1.5	
Total	N/A		

Zone 1 extends out 30 feet perpendicular from near bank of channel; Zone 2 extends an additional 20 feet from the edge of Zone 1.

	of Property, Conservation Easement, Riparian Buffer Restoration / Enhancement, Preservation or Payment into the Riparian Buffer Restoration Fund). Please attach all appropriate information as identified within 15A NCAC 2B .0242 or .0260.  N/A
XI.	Stormwater (required by DWQ)
	Describe impervious acreage (both existing and proposed) versus total acreage on the site. Discuss stormwater controls proposed in order to protect surface waters and wetlands downstream from the property.
XII.	Sewage Disposal (required by DWQ)
	Clearly detail the ultimate treatment methods and disposition (non-discharge or discharge) of wastewater generated from the proposed project, or available capacity of the subject facility.  N/A
XIII.	Violations (required by DWQ)
	Is this site in violation of DWQ Wetland Rules (15A NCAC 2H .0500) or any Buffer Rules? Yes No
	Is this an after-the-fact permit application? Yes □ No ☑
XIV.	Other Circumstances (Optional):
	It is the applicant's responsibility to submit the application sufficiently in advance of desired construction dates to allow processing time for these permits. However, an applicant may choose to list constraints associated with construction or sequencing that may impose limits on work schedules (e.g., draw-down schedules for lakes, dates associated with Endangered and Threatened Species, accessibility problems, or other issues outside of the applicant's control).  N/A
	Php 1 1 10 13/03
	Applicant/Agent's Signature  (Agent's signature is valid only if an authorization letter from the applicant is provided.)





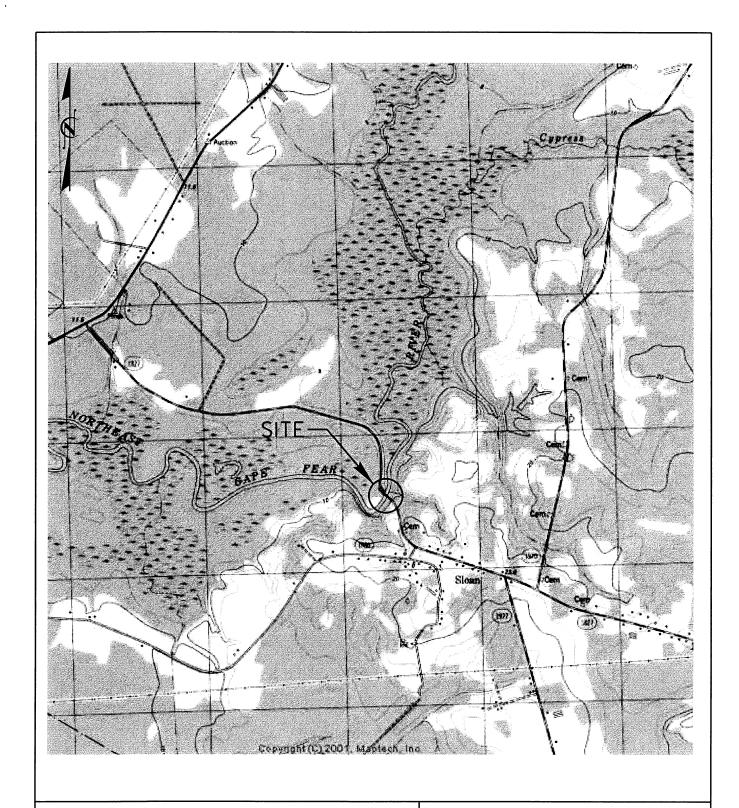
# VICINITY MAPS

## NCDOT

DIVISION OF HIGHWAYS
DUPLIN COUNTY
PROJECT: 8.2241701 (B-3449)
BRIDGE NO. 204 OVER
NE CAPE FEAR RIVER
ON SR 1827

SHEET 1 OF 2

3/14/03



# NCDOT

DIVISION OF HIGHWAYS
DUPLIN COUNTY
PROJECT: 8.2241701 (B-3449)
BRIDGE NO. 204 OVER
NE CAPE FEAR RIVER
ON SR 1827

SHEET 2 OF 2

